

# Exhibit 1

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*Attorneys for Defendants iX Global LLC, Joseph A. Martinez,  
and Travis A. Flaherty*

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**IN THE UNITED STATES DISTRICT COURT**  
**DISTRICT OF UTAH, NORTHERN DIVISION**

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SECURITIES AND EXCHANGE  
COMMISSION,

Plaintiff,

vs.

DIGITAL LICENSING INC. (d/b/a “DEBT  
Box”), a Wyoming corporation; JASON R.  
ANDERSON, an individual; JACOB S.  
ANDERSON, an individual; SCHAD E.  
BRANNON, an individual; ROYDON B.  
NELSON, an individual; JAMES E.  
FRANKLIN, an individual; WESTERN OIL  
EXPLORATION COMPANY, INC., a  
Nevada corporation; RYAN BOWEN, an  
individual; IX GLOBAL, LLC, a Utah limited  
liability company; JOSEPH A. MARTINEZ,  
an individual; BENJAMIN F. DANIELS, an  
individual; MARK W. SCHULER, an  
individual; B & B INVESTMENT GROUP,  
LLC (d/b/a “CORE 1 CRYPTO”), a Utah  
limited liability company; TRAVIS A.  
FLAHERTY, an individual; ALTON O.  
PARKER, an individual; BW HOLDINGS,

**DECLARATION OF JOSEPH A.  
MARTINEZ**

Chief Judge Robert J. Shelby

Case No. 2:23-cv-00482-RJS

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LLC (d/b/a the “FAIR PROJECT”), a Utah limited liability company; BRENDAN J. STANGIS, an individual; and MATTHEW D. FRITZSCHE, an individual,

Defendant.

ARCHER. DRILLING, LLC, a Wyoming limited liability company; BUSINESS FUNDING SOLUTIONS, LLC, a Utah limited liability company; BLOX LENDING, LLC, a Utah limited liability company; CALMFRTZ HOLDINGS, LLC, a Utah limited liability company; CALMES & CO, INC., a Utah corporation; FLAHERTY ENTERPRISES, LLC, an Arizona limited liability company; IX VENTURES FZCO, a United Arab Emirates company; PURDY OIL, LLC, a Nebraska limited liability company; THE GOLD COLLECTIVE LLC, a Utah limited liability company; and UIU HOLDINGS, LLC, a Delaware limited liability company,

Relief Defendants.

I, Joseph A. Martinez, pursuant to 28 U.S.C. § 1746, declare and state as follows:

1. I am over twenty-one years of age and am a resident of the State of Utah.
2. I make this declaration in support of the Defendants iX Global, LLC, Joseph A. Martinez, and Travis Flaherty’s Motion to Dissolve Temporary Restraining Order.
3. I have personal knowledge of the matters set forth herein, except as otherwise noted, and, if called as a witness, I could and would competently testify under oath to the facts stated herein.
4. At the age of sixteen, I entered the U.S. Marine Corps Delay Entry Program. I served for five years of active duty including three tours in Iraq. I served in military intelligence

and held a Top Secret/Sensitive Compartmented Information security clearance. I was promoted to the rank of Sergeant (E-5) when I was twenty-one years old.

5. Gunnery Sergeant Eric Tovar (retired) served as my supervising Noncommissioned Officer from 2004-2007. He has submitted a letter for the Court's consideration attesting to my character, honor, pride, and loyalty during my time in the service. Attached to this Declaration as **Exhibit A** is a true and accurate copy of the letter I received from Gunnery Sergeant Eric Tovar (retired).

6. I decided to not reenlist in the military after the death of my Grandmother. I was orphaned at a young age. Thus, my Grandmother was my primary caregiver for much of my life. After I decided to not reenlist in the military, I searched for how I could use my experiences to help others. A quote I often use to describe my search for purpose after the military is a quote from Mark Twain that states "[t]he two most important days of your life are the day you are born and the day you find out why."

7. I moved to Utah where I made my home. I found purpose in educating others in lessons learned in the military and elsewhere on how they can succeed through adversity.

8. In 2010, I took a trip to Peru where I met my soon-to-be wife, Rosemery. I married Rosemery in 2012 and we have three amazing children together: Luciana (age 9) Sebastian (age 8) and Oliver (age 5).

9. My family and I reside in Utah. We have established connections to our community and intend to spend the rest of our lives here.

10. I founded iX Global in 2019 to impact the lives of those who endeavor to be more while revolutionizing the global education system by emphasizing transformational and personal

growth.

11. iX Global has assisted thousands of independent business owners (“IBO”) in delivering quality products and services to their customers. Thousands of IBOs depend on iX Global for their livelihoods. These IBOs are primarily located in emerging markets, such as India, Peru, Mexico, and Ecuador. Over 70% of iX Global’s business is outside the United States.

12. As a previous IBO myself, I understand that these IBOs depend on iX Global to fulfill their obligations. I committed myself and iX Global to prioritize supporting the IBOs that depended on us.

13. In iX Global’s first year of operations, 2020, we were able to achieve over \$4 million in revenue from memberships and associated products sales.

14. iX Global’s success continued in 2021, with revenue growing over 500% to reach a revenue of over \$20.5 million.

15. As of September of 2022, iX Global had reached its 2022 sales goal of \$100 million three months earlier than projected.

16. iX Global has always prioritized paying IBOs over profits, and a vast majority of iX Global’s revenue has been paid out to the IBOs which depend on iX Global for their livelihoods. Without the ability to continue my business unrelated to the software licenses at issue in this litigation, I will not have the ability to serve and pay the IBOs that depend on iX Global as their primary means of income.

17. On March 2, 2023, Bank of America closed my business accounts ending in 8630, 8656, and 8643 without my prior knowledge or consent. Attached to this declaration as **Exhibit B** is a true and accurate copy of a correspondence I received from Bank of America for Notice of

Closure.

18. On a somewhat regular basis, node software license owners participated in various votes as to how the projects related to their node software license would operate. Attached to this declaration as **Exhibit C** is a true and accurate copy of an announcement regarding changes to the DLG token which was a result of node software license holders vote which concluded on or about December 27, 2022.

19. iX Global has ceased all sales of node software licenses.

I declare under penalty of perjury that the foregoing is true and correct.

DocuSigned by:  
  
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Joseph A. Martinez